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**From:** Sadowsky, Don [Sadowsky.Don@epa.gov]  
**Sent:** 5/29/2020 3:11:07 PM  
**To:** Ingram, Earl [Ingram.Earl@epa.gov]; Bohnenblust, Eric [Bohnenblust.Eric@epa.gov]; Mendelsohn, Mike [Mendelsohn.Mike@epa.gov]  
**CC:** McBride, Sharon Y [Mcbride.Sharony@epa.gov]; Kaczmarek, Chris [Kaczmarek.Chris@epa.gov]; Schwarz, Stephanie [Schwarz.Stephanie@epa.gov]  
**Subject:** Re: OX5034 EUP Human Health and Ecological Risk Assessment - CBI  
**Attachments:** Substantiation letter to Oxitec c of K Matthews-OGC.docx

Earl --

# Ex. 5 Attorney Client (AC)

Don

Donald A. Sadowsky  
Pesticides and Toxic Substances Law Office  
Office of General Counsel  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460  
(202) 564-5638

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**From:** Ingram, Earl <Ingram.Earl@epa.gov>  
**Sent:** Thursday, May 28, 2020 6:20 PM  
**To:** Bohnenblust, Eric <Bohnenblust.Eric@epa.gov>; Mendelsohn, Mike <Mendelsohn.Mike@epa.gov>  
**Cc:** Sadowsky, Don <Sadowsky.Don@epa.gov>; McBride, Sharon Y <Mcbride.Sharony@epa.gov>  
**Subject:** RE: OX5034 EUP Human Health and Ecological Risk Assessment - CBI

Here is the substantiation letter. Please note, this letter is off the template developed by the General Law Office in OGC.

As Don was explaining this process will most likely take some time and more importantly, after Supreme Court ruling last year in the Argus case, confidentiality claims have broaden. Basically, if a company say its private and they have not publicly disclosed the information, it is to be considered confidential.

Once we send the letter, the matter will be in GLO's hands.

Earl

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**From:** Bohnenblust, Eric <Bohnenblust.Eric@epa.gov>  
**Sent:** Tuesday, May 26, 2020 11:01 AM  
**To:** Ingram, Earl <Ingram.Earl@epa.gov>; McBride, Sharon Y <Mcbride.Sharony@epa.gov>  
**Cc:** Mendelsohn, Mike <Mendelsohn.Mike@epa.gov>  
**Subject:** RE: OX5034 EUP Human Health and Ecological Risk Assessment - CBI

Earl and Sharon,

This document looks good and I have replaced the original version with this one in the docket. I'm not sure what the next step for it to go live is, but let me know if we need to do anything on our end.

Also, we would like to continue with the CBI substantiation process for the CBI claims made. Please let me know if there is anything we need to do to continue that process as well.

Thanks.

Eric Bohnenblust, Ph.D  
Senior Biologist  
Emerging Technologies Branch (ETB)  
Biopesticides and Pollution Prevention Division (BPPD)  
Phone: 703-347-0426  
Email: [Bohnenblust.eric@epa.gov](mailto:Bohnenblust.eric@epa.gov)

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**From:** Ingram, Earl <[Ingram.Earl@epa.gov](mailto:Ingram.Earl@epa.gov)>

**Sent:** Friday, May 22, 2020 12:15 PM

**To:** Bohnenblust, Eric <[Bohnenblust.Eric@epa.gov](mailto:Bohnenblust.Eric@epa.gov)>; McBride, Sharon Y <[Mcbride.Sharony@epa.gov](mailto:Mcbride.Sharony@epa.gov)>

**Cc:** Mendelsohn, Mike <[Mendelsohn.Mike@epa.gov](mailto:Mendelsohn.Mike@epa.gov)>

**Subject:** RE: OX5034 EUP Human Health and Ecological Risk Assessment - CBI

Eric,

Please take a look this redacted copy. If you agree it covers all of Oxitec's markings, please load in FDMS and replace it for the original copy if it is loaded.

You can removed "Redacted" from the file name if you like.

Let me know if you have any questions.

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**From:** Bohnenblust, Eric <[Bohnenblust.Eric@epa.gov](mailto:Bohnenblust.Eric@epa.gov)>

**Sent:** Friday, May 22, 2020 11:35 AM

**To:** McBride, Sharon Y <[Mcbride.Sharony@epa.gov](mailto:Mcbride.Sharony@epa.gov)>

**Cc:** Ingram, Earl <[Ingram.Earl@epa.gov](mailto:Ingram.Earl@epa.gov)>; Mendelsohn, Mike <[Mendelsohn.Mike@epa.gov](mailto:Mendelsohn.Mike@epa.gov)>

**Subject:** FW: OX5034 EUP Human Health and Ecological Risk Assessment - CBI

Sharon,

Below is the password for the CBI highlighted RA provided by Oxitec. Let me know if there are any issues.

Thanks.

Eric Bohnenblust, Ph.D  
Senior Biologist  
Emerging Technologies Branch (ETB)  
Biopesticides and Pollution Prevention Division (BPPD)  
Phone: 703-347-0426  
Email: [Bohnenblust.eric@epa.gov](mailto:Bohnenblust.eric@epa.gov)

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**From:** Matthews, Keith <[KMatthews@wiley.law](mailto:KMatthews@wiley.law)>  
**Sent:** Friday, May 22, 2020 9:50 AM  
**To:** Bohnenblust, Eric <[Bohnenblust.Eric@epa.gov](mailto:Bohnenblust.Eric@epa.gov)>  
**Cc:** Mendelsohn, Mike <[Mendelsohn.Mike@epa.gov](mailto:Mendelsohn.Mike@epa.gov)>; Reynolds, Alan <[Reynolds.Alan@epa.gov](mailto:Reynolds.Alan@epa.gov)>; 'Nathan Rose' <[nathan.rose@oxitec.com](mailto:nathan.rose@oxitec.com)>  
**Subject:** RE: OX5034 EUP Human Health and Ecological Risk Assessment - CBI

Hi Eric,

The password for the document just sent is Ex. 6 Personal Privacy (PP)

Thanks,

Keith

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**From:** Matthews, Keith <[KMatthews@wiley.law](mailto:KMatthews@wiley.law)>  
**Sent:** Friday, May 22, 2020 9:48 AM  
**To:** 'Bohnenblust, Eric' <[Bohnenblust.Eric@epa.gov](mailto:Bohnenblust.Eric@epa.gov)>  
**Cc:** Mendelsohn, Mike <[Mendelsohn.Mike@epa.gov](mailto:Mendelsohn.Mike@epa.gov)>; Reynolds, Alan <[Reynolds.Alan@epa.gov](mailto:Reynolds.Alan@epa.gov)>; 'Nathan Rose' <[nathan.rose@oxitec.com](mailto:nathan.rose@oxitec.com)>  
**Subject:** OX5034 EUP Human Health and Ecological Risk Assessment - CBI

Good morning Eric,

I hope that you are well.

As we discussed yesterday, attached is version of the OX5034 EUP Human Health and Ecological Risk Assessment with Oxitec CBI identified as highlighted text.

The document is password protected, and I will send an email with the password separately.

Please do not hesitate to email or call, if you have any questions.

Best,

Keith

**wiley**

Keith A. Matthews  
Attorney at Law  
[kmatthews@wiley.law](mailto:kmatthews@wiley.law)

Wiley Rein LLP • 1776 K Street NW • Washington, DC 20006  
o: 202.719.4462  
[Download V-Card](#) | [wiley.law](http://wiley.law) | [The WELL Blog](#)

Note: The firm's domain has changed to wiley.law. To update my contact information, please download my [vCard](#)

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